

03-25-04

grape/1647  
PATENT APPLICATION  
Booseph

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): William J. Boyle  
Serial No.: 09/211,315  
Filed: December 14, 1998  
For: Osteoprotegerin Binding Proteins  
Docket No.: A-451J

**ATTORNEY'S STATEMENT PURSUANT TO 37 CFR § 1.821**

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Box Sequence  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

In response to an Office communication, mailed March 4, 2004, Applicant submits both a paper copy and computer readable format of the sequence listing related to the above case. The computer readable form in this application, Serial No. 09/211,315, is identical with that filed in the parent case, Application Serial No. 08/880,855, filed June 23, 1997.

It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application.

In addition, I hereby state that the paper copy of the Sequence Listing in this application and the computer readable form of the Sequence Listing submitted herewith are the same and contains no new matter.

**EXPRESS MAIL CERTIFICATE**

"Express Mail" mail labeling number: EL360692205US Date of Deposit: March 23, 2004  
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, 2011 South Clark Place, Customer Window, Box Sequence, Crystal Plaza Two, Lobby, Room 1B03, Arlington, VA 22202.  
JL. ST. ANDREW JL. St. Andrew  
Printed Name Signature

Please direct its entry into the specification.

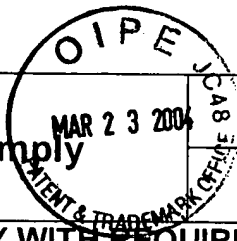
Respectfully submitted,



Robert B. Winter  
Attorney/Agent for Applicant(s)  
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Phone: (805) 447-2425  
Date: March 23, 2004

Please send all future correspondence to:

US Patent Operations/RBW  
Dept. 4300, M/S 27-4-A  
AMGEN INC.  
One Amgen Center Drive  
Thousand Oaks, California 91320-1799



<b>Notice to Comply</b>		Application No. 09/211315	Applicant(s) BOYLE
		Examiner NICHOLS	Art Unit 1647

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216 or (703) 308-2923

For CRF Submission Help, call (703) 308-4212 or 308-2923

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